

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JANUARY 3, 2007**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SUP-16246 - APPLICANT: DORSAL DEVELOPMENT, LLC -  
OWNER: FULSTONE 1993 TRUST AND JEFF SELLINGER**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

The Planning Commission (7-0 vote) and staff recommend DENIAL.

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-12922 shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Special Use Permit a proposed five-story, mixed-use development consisting of 30 residential condominium units and 9,350 square feet of medical office space on 0.74 acres at 728 Desert Lane.

**EXECUTIVE SUMMARY**

Because the floor plans depict parking spaces at ground level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for this application is denial.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- 05/27/97      The City Council approved a Request for Rezoning (Z-0020-97) on properties located between Alta Drive and Charleston Boulevard and Martin L. King Boulevard and Rancho Drive from R-1 (Single Family Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-5 (Apartment), R-E (Residence Estates), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial), and C-V (Civic) to PD (Planned Development) on 171 acres. The Planning Commission and staff recommended approval on April 2, 1997.
- 06/19/02      The City Council approved a Request for a Major Modification [Z-0020-97(33)] to the Las Vegas Medical District Plan to update and revise the Plan document, as part of the City's General Plan for the area bounded by Alta Drive to the north, Charleston Boulevard to the south, Martin L. King Boulevard to the east and Rancho Drive to the west. The Planning Commission and staff recommended approval on April 11, 2002.

- 11/17/04 The City Council approved a Request for a Major Modification MOD-5267 to the Las Vegas Medical District Plan in order to reduce height and setback restrictions on mixed-use developments, list them as a specific use on the table of permitted uses, provide for the incorporation of the live/work ordinance, and clarify the table of permitted uses to update terminology. The Planning Commission and staff recommended approval on October 21, 2004.
- 10/19/06 The Planning Commission recommended approval of companion items MOD-12919 and denial of SDR-12922 concurrently with this application.
- 10/19/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #15/ar).

***B) Pre-Application Meeting***

A pre-application meeting was held on March 21, 2006. Issues discussed included:

- The Department of Building and Safety indicated that a handicap accessible route would need to be shown to the right-of-way.
- A representative from the Traffic Division indicated that Project Neon could affect this site, and that a traffic study would be required.
- The Department of Public Works indicated that a Flood Study would be required because of the underground parking.
- The Planning Department informed the applicant of the Medical District Streetscape standards.

***C) Neighborhood Meetings***

A neighborhood meeting is not required for this application, nor was one held.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres: 0.74 acres

***B) Existing Land Use***

Subject Property: Undeveloped  
North: Clark County Health District warehouse  
South: Parking lot  
East: Apartments  
West: Offices

**C) *Planned Land Use***

Subject Property: UMC [MD-2 (Major Medical)]  
North: UMC [MD-2 (Major Medical)]  
South: UMC [MD-1 (Medical Support)]  
East: UMC [HD (High Density Residential)]  
West: UMC [P-O (Professional Office)]

**D) *Existing Zoning***

Subject Property: PD (Planned Development)  
North: PD (Planned Development)  
South: PD (Planned Development)  
East: PD (Planned Development)  
West: PD (Planned Development)

**E) *General Plan Compliance***

The subject site is located within the Southeast Sector of the General Plan. More specifically, the site is located within the Las Vegas Medical District Neighborhood Plan (LVMD), which is itself an element of the General Plan. This site is designated as MD-2 (Major Medical) within the LVMD. The Major Medical category is intended to allow the most intensive development within the LVMD. It is designed to allow major medical uses and office uses.

In terms of zoning, the site is zoned PD (Planned Development). The PD (Planned Development) zoning district is consistent with the General Plan designation and the proposed use shown on companion site plan SDR-12922 is a permitted use within the PD (Planned Development) zoning district.

<b><i>SPECIAL DISTRICTS/ZONES</i></b>	<b>Yes</b>	<b>No</b>
<b>Special Area Plan</b>	<b>X</b>	
Las Vegas Medical District	<b>X</b>	
<b>Special Overlay District</b>		<b>X</b>
<b>Trails</b>		<b>X</b>
<b>Rural Preservation Neighborhood</b>		<b>X</b>
<b>County/North Las Vegas/HOA Notification</b>		<b>X</b>
<b>Development Impact Notification Assessment</b>		<b>X</b>
<b>Project of Regional Significance</b>		<b>X</b>

**Las Vegas Medical District**

The intent of the Las Vegas Medical District is to provide for future and continued development in this area of an interrelated and cohesive mix of uses in a manner that is safe, orderly, and manageable for pedestrians.

## INTERAGENCY ISSUES

There are no interagency issues involved with this request.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Parking and Traffic Standards

Pursuant to the Las Vegas Medical District Plan, the following Parking Standards apply:

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Medical Offices	9,350 SF.	One space for each 200 sf of gfa up to 2,000 sf, plus one space for each additional 175 sf	52			
30 Condominium Units		1 space per unit	30			
TOTAL			82	4	82	4

The proposed development complies with the parking standards of the Las Vegas Medical District Plan.

The Medical District Standards also require two bicycle parking spaces to be provided in conjunction with a medical office. The submitted site plan depicts 14 such spaces and thus complies with this portion of the standards.

Pursuant to Title 19.08, the following Standards apply:

Standards	Code Requirement	Provided
Trash Enclosure	50 Feet from residential	1,489 feet from residential

The trash enclosure meets the separation requirement of the zoning code.

***B) General Analysis and Discussion***

- Zoning

The proposed office use is consistent with the PD (Planned Development) Zoning District and the MD-1 (Medical Support) Las Vegas Medical District land-use designation.

- Use

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12). These standards require that the office use shall be located at ground-level fronting the primary public right-of-way, and the primary entry way to that use shall be directly from and oriented to a street.

Because there is no hardship, which precludes compliance with these requirements, the recommendation for this application is denial.

**FINDINGS**

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

Because the floor plans depict parking spaces at ground-level, the proposed development does not comply with the mixed-use standards of the Las Vegas Medical District Plan (page 12).

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The site can accommodate the proposed mixed-use development.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Adequate access to Desert Lane and Bearden Drive is depicted on the site. These adjacent roadways will not be adversely affected by this development.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of the use will not be inconsistent with the General Plan, nor will it compromise public health, safety, or welfare.

#### **PLANNING COMMISSION ACTION**

The Planning Commission concurred that the project is not designed to meet Medical District standards.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 19

**ASSEMBLY DISTRICT** 6

**SENATE DISTRICT** 3

**NOTICES MAILED** 72 by City Clerk

**APPROVALS** 0

**PROTESTS** 0